

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>ANTHONY FREEMAN,</b>	:	
	:	
<b>Plaintiff</b>	:	<b>No. 3:CV-04-1226</b>
	:	
<b>v.</b>	:	<b>(M. J. Smyser)</b>
	:	
<b>WILLIAM MARTINEZ, et al.,</b>	:	
	:	
	:	
<b>Defendants</b>	:	<b>Electronically filed</b>

**MEMORANDUM IN SUPPORT OF DEFENDANTS’  
CROSS-MOTION FOR SUMMARY JUDGMENT**

**Argument**

For the reasons advanced in Defendants’ Memorandum in Opposition to Plaintiff’s Motion for Summary Judgment, plaintiff’s motion should be denied and defendants’ cross-motion for summary judgment should be granted.

**Conclusion**

Wherefore, summary judgment should be entered in favor of defendants.

Respectfully submitted,

THOMAS W. CORBETT, JR.  
Attorney General

By: /s/ Gregory R. Neuhauser  
GREGORY R. NEUHAUSER  
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Date: March 18, 2005

**CERTIFICATE OF SERVICE**

Gregory R. Neuhauser, Senior Deputy Attorney General,  
Commonwealth of Pennsylvania, hereby certifies that on March 18, 2005, he  
caused a copy of the foregoing **Memorandum in Support of Defendants’  
Cross-Motion for Summary Judgment** to be served by depositing it in the  
United States mail, first-class postage prepaid, at Harrisburg, Pennsylvania,  
addressed to the following:

Anthony Freeman, FH-2868  
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P.O. Box 200  
Camp Hill, PA 17001-0200

/s/ Gregory R. Neuhauser  
GREGORY R. NEUHAUSER  
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